

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

FLEMING COMPANIES, INC., et al.,
Debtors.

Chapter 11

Case No. 03-10945 (MFW)

(Jointly Administered)

**APPELLEE'S DESIGNATION OF ADDITIONAL ITEMS TO BE
INCLUDED IN THE RECORD ON APPEAL AND CROSS-APPEAL
AND STATEMENT OF ISSUES ON CROSS-APPEAL**

Pursuant to Bankruptcy Rule 8006, respondent below/appellee/cross-appellant the Post-Confirmation Trust designates the following additional items to be included in the record on appeal with respect to the Notice of Appeal, and the Notice of Cross-Appeal of the August 9, 2006 Order, and the supporting Memorandum Opinion, of the United States Bankruptcy Court for the District of Delaware allowing in part DDB Limited Partnership's administrative expense and cure claim:

Date	Docket Number	Description
1/13/06	N/A	DDB Limited Partnership, Exhibit 3, Bates number 307
1/13/06	N/A	PCT Exhibits 2, 4 and 9
2/9/06	12541	PCT's Post-Trial Brief in Support of Objection to Administrative Claim Filed by DDB Limited Partnership (Claim No. 14673)
2/21/06	13227	Notice of Appeal of DDB Limited Partnership

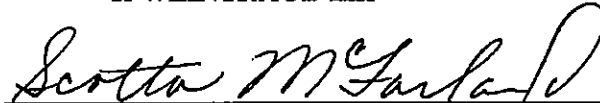
2/23/06	13235	Notice of Cross-Appeal of the Post-Confirmation Trust
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STATEMENT OF ISSUE ON CROSS-APPEAL

1. Whether the Bankruptcy Court erred in awarding DDB Limited Partnership damages for: (1) the replacement of the automatic doors in the amount of \$41,720.00; (2) the repairs and replacement of two parcel pick-up doors in the amount of \$5,599.00; (3) the power-washing and painting of the exterior of the building in the amount of \$18,000.00; (4) roof repairs in the amount of \$76,230.00 and (5) replacement of counters in the amount of \$24, 598.00

Dated: September 7, 2006

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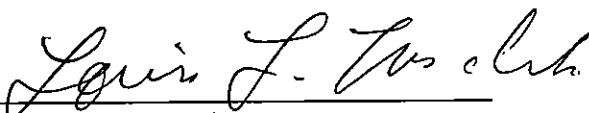
IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:) Chapter 11
)
Fleming Companies, Inc., et al.,¹) Case No. 03-10945 (MFW)
) (Jointly Administered)
Debtors.)
)

AFFIDAVIT OF SERVICE

Louise L. Tuschak, being duly sworn according to law, deposes and says that she is employed by the law firm of Pachulski Stang Ziehl Young Jones & Weintraub LLP co-counsel for the Debtor in the above-captioned action, and that on the 7th day of September 2006 she caused a copy of the following document to be served upon the attached service list in the manner indicated:

1. **Appellee's Designation of Additional Items to be Included in the Record on Appeal and Cross-Appeal and Statement of Issues on Cross-Appeal**


Louise L. Tuschak

SWORN TO AND SUBSCRIBED
by me on this 7th day of September 2006


Notary Public
My Commission Expires: 11/4/07

MARY E. CORCORAN
Notary Public
State of Delaware
My Commission Expires Nov. 4, 2007

¹ The former Debtors whose cases are still open are: Core-Mark International, Inc.; Fleming Companies, Inc.; ASI Office Automation, Inc.; C/M Products, Inc.; Core-Mark Interrelated Companies, Inc.; Core-Mark Mid-Continent, Inc.; General Acceptance Corporation; Head Distributing Company; Marquise Ventures Company, Inc.; and Minter-Weisman Co.

Fleming Companies, Inc. 2002 Service List (NEW)

Case No. 03-10945

Document No. 102136

26 - Hand Delivery

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